

# EXHIBIT A

**From:** [David R. Cohen \(David@SpecialMaster.Law\)](mailto:David@SpecialMaster.Law)  
**To:** [do Amaral, Paulina](#); ["Fumerton, Tara A."; "Tracks6to10Defendants@bbhps.com"](#); [Herman \(External\), Steven](#)  
**Cc:** [MDL 2804](#); [Peter H. Weinberger \(pweinberger@spanglaw.com\)](#)  
**Subject:** Re: [EXTERNAL] FW: EXTERNAL-Scheduling for New Tracks (ECF No. 3688)  
**Date:** Wednesday, May 5, 2021 6:11:12 PM  
**Attachments:** [image002.png](#)

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Yes that is fine

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This email sent from:  
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**From:** do Amaral, Paulina <Pdoamaral@lchb.com>  
**Sent:** Wednesday, May 5, 2021 5:19 PM  
**To:** 'Fumerton, Tara A.' <tfumerton@JonesDay.com>; 'Tracks6to10Defendants@bbhps.com' <Tracks6to10Defendants@bbhps.com>; Herman (External), Steven <sherman@zuckerman.com>  
**Cc:** MDL 2804 <MDL2804@motleyrice.com>; David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>; Peter H. Weinberger (pweinberger@spanglaw.com) <pweinberger@spanglaw.com>  
**Subject:** RE: [EXTERNAL] FW: EXTERNAL-Scheduling for New Tracks (ECF No. 3688)

Thanks for your quick response, Tara. That's fine with Plaintiffs. Special Master Cohen, Is this acceptable to the Court?

Paulina

**Lieff  
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Heimann &  
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**From:** Fumerton, Tara A. <tfumerton@JonesDay.com>  
**Sent:** Wednesday, May 5, 2021 1:15 PM  
**To:** do Amaral, Paulina <Pdoamaral@lchb.com>; 'Tracks6to10Defendants@bbhps.com'

<Tracks6to10Defendants@bbhps.com>; Herman (External), Steven

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<pweinberger@spanglaw.com>

**Subject:** RE: [EXTERNAL] FW: EXTERNAL-Scheduling for New Tracks (ECF No. 3688)

Hi, Paulina. The pharmacy defendants do not have an objection to the extension you request. We would, however, request that the deadline for the submission of the associated CMOs be shifted to June 3, 2021, since May 28, 2021 is the current deadline for the pharmacy defendants to submit expert reports and May 31, 2021 is Memorial Day. Would that be acceptable to plaintiffs?

Thanks,

Tara

Tara A. Fumerton ([bio](#))

Partner

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**From:** do Amaral, Paulina <[Pdoamaral@lchb.com](mailto:Pdoamaral@lchb.com)>

**Sent:** Tuesday, May 4, 2021 8:50 PM

**To:** 'Tracks6to10Defendants@bbhps.com' <[Tracks6to10Defendants@bbhps.com](mailto:Tracks6to10Defendants@bbhps.com)>; Herman (External), Steven <[sherman@zuckerman.com](mailto:sherman@zuckerman.com)>

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**Subject:** RE: [EXTERNAL] FW: EXTERNAL-Scheduling for New Tracks (ECF No. 3688)

**\*\* External mail \*\***

Good Evening Counsel,

Due to the press of other business, the Bellwether Plaintiffs identified in Judge Polster's Order, ECF No. 3688, request a one week extension to **May 19, 2021** of the deadline by which they must amend their complaints. If that change is acceptable to you (and of course to the Court), the date for submission of the associated CMOs, currently set for May 21, would also likely need to shift to May 28, 2021.

Please let us know if you will *not* be able to provide us with a response by close of business tomorrow, Wednesday, May 5, 2021, as it is our intent to seek relief from Special Master Cohen and the Court if we are not able to agree.

Thank you.

Paulina do Amaral



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**From:** Herman, Steven <[SHerman@zuckerman.com](mailto:SHerman@zuckerman.com)>  
**Sent:** Monday, April 19, 2021 10:35:22 PM  
**To:** 2804 Discovery, MDL <[mdl2804discovery@motleyrice.com](mailto:mdl2804discovery@motleyrice.com)>; 'David R. Cohen ([David@SpecialMaster.Law](mailto:David@SpecialMaster.Law))' <[david@specialmaster.law](mailto:david@specialmaster.law)>  
**Cc:** 'Tracks6to10Defendants@bbhps.com' <[Tracks6to10Defendants@bbhps.com](mailto:Tracks6to10Defendants@bbhps.com)>  
**Subject:** EXTERNAL-Scheduling for New Tracks (ECF No. 3688)

**EXTERNAL**

Dear Counsel and Special Master Cohen,

Pursuant to Judge Polster's Order, ECF No. 3688, the parties were instructed to submit a proposal for a schedule for the new bellwether cases by April 28, 2021. The same order gives Plaintiffs leave to amend their complaints. While we object to further amendments, the Pharmacy Defendants request that the parties agree (assuming it is acceptable to the Court) that the Plaintiffs will set a date by which they amend their complaints (if at all), and then the parties will submit a proposed scheduling order for those cases two weeks after that date. We think that such a modification will make scheduling discussions more productive, as the Pharmacy Defendants are not in a position to agree to a schedule in advance of knowing which pharmacies will be defendants, what claim is being asserted, and what remedies are sought.

Best Regards,  
Steve



Steven Herman  
Zuckerman Spaeder LLP  
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